

GOVERNOR BUDD

Removes Mose Gunts from the
Office of Police Commissioner.

The Question as to Whether
Stewart Menzies can get
the Office in Doubt.

Laymance gives up the Treasurer's Contest, and Stanford is Treasurer.

The President of France has
Resigned his Office.

Not even his Aged Mother can
Make him Revoke his
Decision.

Removal of Gunst.

SACRAMENTO, January 15.—Mose Gunst was removed from the office of Police Commissioner of San Francisco at 1:30 p. m. by Governor Budd, and shortly afterward was notified of the fact. Later in the day the Governor filled out a commission for Stewart Menzies to succeed to the vacant place on the Police Board. The removal of Gunst was made with the authorization of Attorney-General Fitzgerald's legal opinion. This is the text of the opinion:

State of California, Attorney-General's office, W. F. Fitzgerald, Attorney-General, Sacramento, January, 15, 1895.

Hon. James H. Budd, Governor of the State of California—DEAR SIR: Replying to your inquiry of this day as to "what is the power of the government with reference to the removal of an appointee of the Board of Police Commissioners of the city and county of San Francisco and to fill by appointment the vacancy caused by

such removal?" I will especially state that the Board of Police Commissioners of said city and county was created by the act approved April 1, 1878. This act, among other things, provides that the District Judges therein named are empowered and required "to choose three citizens of said city and county, householders of good repute, without respect to their politics, who, together with the Chief of Police, shall constitute the Board of Police Commissioners of said city and county.

"All vacancies shall be filled by the aforesaid Judges making the appointments."

There is no term of office prescribed for these officers by this act, nor by any other law of this State.

The appointing power provided for by this act was abolished by the constitution, and no express provision having been made either by the constitution or by statute providing for the exercise of such power by any other officer, the question then to be determined is, Where does this power vest?

Section 16 of article XX of the constitution provides that "when the term of any officer or commissioner is not provided for in this constitution the term of such officer or commission may be declared by law; and if not so declared, such officer or commissioner shall hold his position as such office, or commissioner during the pleasure of the authority making the appointment; but in no case shall such term exceed four years."

This section of the constitution was construed by the Supreme Court of this State in the recent case of Higgins vs. Cole (100 Cal., 250-65), in which it was said that "as the term of office was not fixed by the constitution nor declared by law, it must be held that appellant's term continued only during the pleasure of the appointing power and that he was rightly removed."

Upon this subject section 878 of the Political Code further provides: "Every office of which the duration is not fixed by law is held at the pleasure of the appointing power."

From this section it will be seen that the Legislature in omitting to prescribe the term of office of such commissioners has left the duration thereof to the pleasure of the appointing power.

In order then to determine in whom the power of appointment vests in this instance, the original authority to make such appointment having been abolished as stated, we must look first to section 4 of article XX of the constitution, which provides that "all officers or commissioners whose election or appointments is not provided for by this constitution, and all officers and commissioners whose offices or duties may hereafter be created by law, shall be elected by the people or appointed, as the Legislature may direct."

As neither the constitution nor the

statute prescribes any express mode for making such appointment the provisions of section 876 of the Political Code must necessarily control. That section reads as follows: "Every officer, the mode of whose appointment is not prescribed by the constitution or statutes, must be appointed by the Governor."

In view of these provisions of the constitution and the statutes I am of the opinion that you, as Governor, have the power to remove "an appointee on the Board of Police Commissioners of the city and county of San Francisco, and to fill by appointment the vacancy caused by such removal." Respectfully yours,

W. F. FITZGERALD,
Attorney-General.

It was expected that the newly appointed Commissioner, Stewart Menzies, would leave Sacramento for San Francisco this evening, but he finally decided to wait until tomorrow morning before departing.

Casimir-Perier Resigns the Presidency.

PARIS, Jan. 15.—It was announced this evening that Casimir-Perier, President of the French republic, had resigned the office.

During the evening he conferred with the President of the Senate and then summoned M. Guérin, Minister of Justice, M. Leygues, Minister of Public Instruction, M. Poincaré, Minister of Finance, and the Prefect of the Seine.

M. Leygues had a long conversation with M. Perier, the result of which is not known.

A second official note was issued at 11 o'clock tonight, announcing the resignation of the President, and forecasting the ideas he intended to develop in his farewell address to the Chamber of Deputies.

The note says that in the eyes of the President yesterday's sitting of the Chamber, and the vote which overthrew the Cabinet, were only secondary incidents of the struggle which is proceeding against parliamentary regime and public liberties.

M. Casimir-Perier had hoped the President of the republic, who is deprived of means of action, would have been exempted from party attacks, and the especial confidence of the Republicans would have accorded him power and authority.

He also hoped that those who, despite himself, had placed him in a position where he was unable to defend himself, would have undertaken the defense of the first magistrate. Continuing, the note says, the President has requested the Ministers to temporarily withdraw their resignations in order to facilitate the necessary changes.

Prime Minister Dupuy imparted President Casimir-Perier's decision to the presidents of the Senate and Chamber of Deputies, who will forthwith call urgency sittings of bodies.

The greatest perplexity reigns in all political circles. During the

afternoon it had been remarked, not without surprise in the lobbies of the Palais Bourbon that the crisis was not following the customary course, but appears to be assuming a graver aspect than usual.

When the facts became known consternation amounting almost to stupor seized every one. There had been ominous hints in the press in the recent days that Casimir-Perier was growing tired of his position, yet no body paid any attention to them. The high character, experience, firmness and integrity of the President inspired the confidence of even the advanced Republicans.

The long conference which M. Casimir-Perier had with M. Challemet-Lacour, President of the Senate, is now explained. He had already resolved to resign. M. Challemet-Lacour employed his utmost eloquence in a vain endeavor to persuade the President to reconsider his decision and quitted the palace of the Elysee under a sense of deep distress. All the members of the Cabinet from Prime Minister Dupuy down followed Challemet-Lacour and exhausted every argument to induce Casimir-Perier not to resign.

Their efforts were without success. Dupuy again visited the palace of the Elysee later in the evening and was closeted with the President for forty-five minutes, urging every possible inducement and appealing to every patriotic sentiment in order to get him to recall his determination. All was without avail.

After him came M. Spuller, whose eloquence, it will be remembered, overcame on a former occasion, M. Casimir-Perier's scruples to accepting the position of Prime Minister. All the President would concede to these appeals was to delay the publication of his intentions until tonight.

As Cupuy and Spuller were leaving the palace together they met in the corridors the President's mother, who is 80 years of age. They begged her to entreat her son to remain in office, and she promised she would do her utmost.

It is stated the interview between mother and son was very affecting. Nevertheless, at 9 o'clock Casimir-Perier sent a short letter informing him that his decision was irrevocable and begging him to notify the Presidents of the Senate and Chamber.

Vernon Irwin, the eleven year old son of Mr. Irwin of Ward street, was run over by a laundry wagon at 6:30 last evening. The horse was frightened by the car and the driver could not control it. The boy was taken to the Dwight way drug store where his bruises were attended to, and he will be all right in a day or two.

The plans for the new building of the Crescent Athletic Club have been drawn and Mr. Lancaster will commence the erection of the building at once. It will be an annex to the Lancaster block on the Addison street side.

There Was no Fraud.

The contest which has been in progress for the past nine days for the office of County Treasurer is ended. As shown by the recount last Saturday, Sanford gained thirty-three votes on the face of the returns and Laymance eleven. This gave Sanford a majority of fifty-four, without reference to some 500 ballots that were objected to in the the count and will not be examined. Laymance's attorney yesterday moved to dismiss the contest. Judge Frick so ordered and the recount was ended.

During the contest there was much satisfaction expressed over the fact that the honesty and fairness of the election officials was most apparent. The cost of the proceeding will be shared by the contestants.

REAL ESTATE TRANSFERS.

Wm. T. Lingard to Samuel H. Lingard, a portion of lot 9, block 19, Berkeley Villa Association; also, undivided half interest in lot 10, block 2, Berkeley Villa Association.

Lorens Melchoir to George H. Palmer, the east half of lots 5 and 6, block 3, Regent Street Homestead Association.

Carrie L. Cook to Annie M. Pinching, lot 8, block C, Peralta Park.

Annie M. Pinching to Arthur E. Pinching, lot 8, block C, Peralta Park.

William P. and Mary Grant to Thomas Curran, portion of lot 15, Block C, Leonard tract.

John Benning to Charles Schnelle commencing at the intersection of the S E corner of the property of John Benning with the S W corner of the property of J. C. McMullen and Mrs. Lizzie Murphy, distance 200 feet W from the intersection of the W line of Smith street with the N line of Rose street, thence N 100, W 30, S 100, E 30.

Mr. and Mrs. P. Sisterma will give a birthday party to their daughter Della in honor of her seventeenth birthday anniversary on Saturday evening, January 19, at their residence on University avenue. As they are good entertainers the invited guests will be sure of having a fine time.

There was great joy last evening at the end of the regular quarterly meeting of the Catholic Aid Society. There was an elegant banquet and everybody enjoyed themselves.

A large number of University students arrived this morning from their homes in different parts of the State. It is thought that all will have returned by tomorrow.

Constable Newell was called to Santa Rosa last night on official business.

The case of James Edgar is on trial before Judge Shaw this afternoon.

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REAL AND BOGUS ECONOMY.

There is no doubt about the urgency of the demand for economy and the Legislature will do well to heed it. But members must take care not to confound a refusal to appropriate money for desirable purposes with economy. That is the Democratic idea of retrenchment, but it is not a popular one. What the people really desire is not an inconsiderate refusal to expend money, but a determined effort to suppress improper expenditures whether authorized by law or not.

There are now before the Legislature, or will be introduced in due season, bills authorizing the erection of two buildings in the city of San Francisco; one to house the various State courts, commissions, etc., now scattered in different buildings, and the other to provide class-rooms for the affiliated colleges of the State University now located in this city. The State is now paying out large sums annually in the form of rent to furnish these various courts, commissions, colleges, etc., with rooms, and careful estimates have been made showing that the amounts so expended would pay the interest on a much larger sum than would be required for the erection of two suitable buildings, which would prove infinitely more convenient to the public and to those who are compelled to use them.

We have already said that the Democratic method of retrenchment is to suspend expenditures for purposes of utility. The records of Congressional appropriations show this. A particularly strong demand for economy is always followed by a suspension of work on public buildings and the reduction of river and harbor improvements to a minimum. A Democratic Postmaster-General in an elaborate report pointed out that the General Government would save a large sum of money annually by providing postoffice buildings for every small town in the country, instead of paying rent as at present. But a Democratic Congress, instead of paying attention to his logical and well-considered arguments, deliberately refused to make appropriations for cities of the first class. But there was no reduction in the total amount of expenditures as the result of this policy; on the contrary, appropriations were increased. Let the Republican Legislature of California avoid imitating this example. Let it practice real economies, and not attempt to fool the people by refusing to make appropriations which would result in effecting a genuine saving by reducing the annual expenditure for the rent of buildings and rooms required to carry on the business of the State.—S. F. Chronicle.

RESIGNATION OF CASIMIR-PERIER.

The President of the French Republic has announced his intention to resign his high office. The course was apparently forced upon him by a Parliamentary disagreement. On Monday the Chamber of Deputies voted down the Ministry on some trivial matter, touching a question of precedence, but which had back of it a grave constitutional question.

When Casimir-Perier became President, after the assassination of Carnot, there was an enthusiastic rally of the Moderate Republicans to the support of his administration. Dupuy formed a Cabinet in that interest, and it was believed that the Radicals would not be able to make much headway. But it seems now that both the President and the Premier have a powerful party against them in the Chamber, and that they have triumphed by driving the President out of office.

Casimir-Perier will be severely criticised for his want of courage, but it is doubtful if under the circumstances a new Ministry could have been formed, and it is almost certain that an appeal to the country would have gone against the Moderates.

The particular issue on which the Deputy Cabinet was overthrown would have given the Radicals a great advantage before the people. It seems that a combination of railroad capitalists and magnates induced the Government in 1882 to enter into a contract under which, in consideration for transportation of war material, troops, etc., the Government was induced to guarantee extensive issue of bonds. According to the popular estimate it was a rascally piece of business. The present Government has contended that the guarantee expires in 1914, but the railroad directors claim that there is perpetual obligation. The question was carried before the Council of State, which is an extraordinary tribunal under French Constitution, and that body decided in favor of the railroads. The Chamber of Deputies now claims the power to set aside that decree. It thus becomes a grave constitutional question.

There is no doubt that the Conseil d'Etat, which is a high tribunal presided over by the Minister of Justice, is vested by the constitution with jurisdiction to finally determine all administrative questions. In this view the position taken by the opposition majority in the Chamber is little short of revolutionary. And yet the issue is presented in such a way that they are likely to have the support of public opinion, in Paris at least. Instead of the issue appearing to be a constitutional question it is presented as a struggle between the French people and the railroad capitalists.

Under the French Constitution, in case of the resignation of the President, the two assemblies, the Senate and Chamber of Deputies, must assemble immediately in joint session and proceed to the election of a new President. During the interval between the resignation and the election the Council of Ministers is invested with the executive power. The dispatches say the election will take place today, and Brisson, a Radical with moderate tendencies, is

mentioned as the man who will probably be chosen to succeed Casimir-Perier. Whether he will have any more success than the outgoing President in stemming the tide of Radicalism remains to be seen. The situation is regarded as extremely serious and is causing much anxiety not only in Paris, but throughout France generally.

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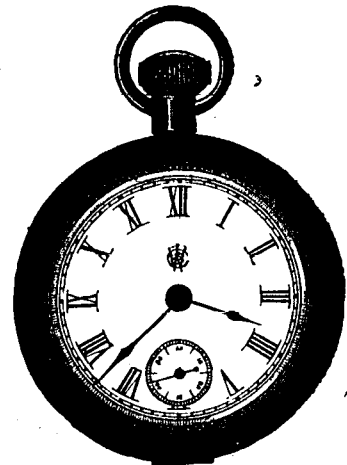
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Cream mixed, extra fine.....25c per lb
American mixed.....15c, 2 lbs for 25c
Yanke or stocking mixed.....30c per lb
French Mixed, in lovely Xmas boxes.....from 25c up
Bon Bons.....15c per box
Xmas Tree Ornaments.....from 3 for 5c up
Candles.....15c per box
Candle Holders.....5c doz up
Animals.....from 5c up
Tinsel and Silver and Gold La Matta.....5c per pkg
Christmas Trees.....from 25c to \$5
Lovely Baskets.....from 10c to \$5
Variety of Candies for ornamenting cakes.....special prices
Chocolates for Dessert.....special prices
Ice Cream for Dessert.....special prices

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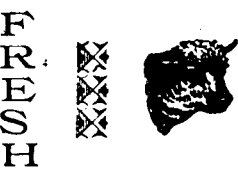
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If you want a nice suit of clothes call on Mikkelsen & Berry, 2124 Center street, Berkeley. All kinds of repairing done.

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Husbands and wives, call upon Schmidt & Zehner for all kinds of cutlery and holiday gifts.

A gentleman wants board and room in private family, must be a home, no style; one-half mile more or less from University. Address GAZETTE office. d5 1w

For fine candies, teas, coffees, flavoring extracts and notions go to J. R. Fenton's new store at 2152 Dwight way, near depot, where you will be waited upon by the ever obliging Miss Speck. x

Grant's First Fight

When Grant was very young he attended school with his cousin John, a Canadian, who had been sent over to the United States to be educated. The two boys were warm friends, but John inherited prejudices against our country, which at times he could not restrain, and his language often gave offense to young Grant.

One day they were talking about George Washington, when John said: "It appears to me, Ulysses, that you think a great deal too much of Washington."

"And why shouldn't I think well of him?" replied the tanner boy. "He is the father of my country, and was raised up by the Almighty to lead the people to independence."

"All very fine," retorted John, "but he was a traitor to his king, nevertheless."

"A what?" asked Ulysses, rising to his feet.

"A traitor and a rebel," said the Canadian.

"John," calmly replied Ulysses, "how would you like to have your sovereign called such names?"

"Why, of course, I should not like it," replied John.

"Then," said young Grant, "let me tell you I will not allow you or anyone else to insult the memory of George Washington."

"Well, what are you going to do about it?" said John, with a sneer.

"I shall resent it, as I have a right to do. You may take advantage of me, for you are older and bigger than I am. My mother told me not to quarrel with schoolmates, and I mean to mind her, and not attack them on my own account; but when Washington is assailed, and especially by an English boy, I shall defend the father of my country. Cousin or no cousin, John, you have got to take that back or fight."

John would not retract, and so, taking off their coats, at it they went. John was the stronger, and forced Ulysses down, but young Grant hung on, and finally turning John, hit him a blow on the nose which completely blinded him.

After a hard fight John finally had to cry out "Enough!"

But Grant would not let him up until he had not only retracted his offensive language, but promised never again while on American soil to speak ill of George Washington.

This was Grant's first battle for his country, and it was indicative of his future illustrious career as a man and a soldier.

George Parker has received the appointment of Deputy Constable of Oakland township under Constable John Cronin.

Madame Kohne, midwife and ladies' nurse, has removed from Fifth street and Bancroft way to her present residence, 1912 Fifth street, between University avenue and Bristol street. Persons requiring her services can inquire at Rutledge's drug store. x

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DIVIDEND NOTICE.

The German Savings and Loan Society, 526 California Street, S. F.

FOR THE HALF YEAR ENDING December 31, 1894, a dividend has been declared at the rate of FIVE (5) per cent per annum on Term Deposits, and FOUR AND ONE-SIXTH (4 1/6) per cent per annum on Ordinary Deposits, payable on and after Wednesday, January 2, 1895.

GEO. TOURNV, Secretary. dec22-2w

DIVIDEND NOTICE.

San Francisco Savings Union, 532 California St., corner of Webb.

FOR THE HALF YEAR ENDING with the 31st of December, 1894, a dividend has been declared at the rate of FOUR AND EIGHT-TENTHS (4 8/10) per cent per annum on Term Deposits, and FOUR (4) per cent per annum on Ordinary Deposits, free of taxes, payable on and after Wednesday, the 2nd of January, 1895.

LOVELL WHITE, Cashier. dec22-2w

DIVIDEND NOTICE.

Oakland Bank of Savings, Oakland, Cal.

FOR THE SIX MONTHS ENDING December 31, 1894, a dividend has been declared at the rate of FOUR AND THREE-QUARTERS (4 3/4) per cent per annum on ALL savings deposits, free of taxes, payable on and after Wednesday, January 2, 1895. Dividends not called for are added to and bear the same rate of interest as the principal, from and after January 1, 1895.

W. W. GARTHWAITE, Cashier. d22-1m

DIVIDEND NOTICE.

THE UNION SAVINGS BANK, Oakland, California—A dividend has been declared to depositors for the six months ending December 31, 1894, at the rate of four and three-quarters (4 3/4) per cent per annum on all term accounts, payable on and after January 2, 1895.

A. E. H. CRAMER, Cashier. dec24-1m

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GUITAR AND BANJO AND MANDOLIN.

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SEMI-ANNUAL STATEMENT

OF THE

Union Savings Bank

OF OAKLAND, CALIFORNIA,

At Close of Business, December 31st. 1894

ASSETS.

1. Loans secured by first mortgages on real estate in this State, bonds, stocks, warrants, and on approved personal security.....	\$2,851,774.29
2. Bonds of various counties of this State, and registered warrants of Douglas County, Oregon, and of City of Oakland.....	130,500.00
3. Bank premises and real estate taken for debt.....	80,482.68
4. Cash on hand.....	\$284,471.57
On deposit in banks in New York and San Francisco.....	57,827.09
5. Office furniture and fixtures.....	342,298.66
Total.....	\$3,408,555.63

LIABILITIES.

1. To depositors.....	\$3,011,355.84
2. Capital stock paid in.....	300,000.00
3. Reserve and undivided profits.....	75,000.00
4. Taxes reserved.....	22,199.79
Total.....	\$3,408,555.63

STATE OF CALIFORNIA.

County of Alameda.

J. West Martin and A. E. H. Cramer, being each separately and duly sworn, each for himself says that J. West Martin is President and A. E. H. Cramer is Cashier of the Union Savings Bank, the corporation above mentioned, and that the foregoing statement is true.

J. WEST MARTIN, President.
A. E. H. CRAMER, Ca
Subscribed and sworn to be me this 2nd day of January, A. D. 1895.
W. R. THOMAS, Notary Public.

BREWTON A. HAYNE.

ATTORNEY-AT-LAW,

Crocker Building, San Francisco.

Residence, Piedmont Way.

Telephone, 5028

MRS. TABER'S

FASHIONABLE

Hair Dressing Parlors.

2130 SHATTUCK AVENUE.

Corner Center Street.

Latest style hair dressing	.50c
Shampooing	.50c
Curling and cutting bangs	.25c
Bleaching a specialty.	

Alameda Water Co.

OFFICE—HANN BLOCK,

NEAR BERKELEY STATION.

BERKELEY, CAL.

Golden Gate Supply Co.

L. A. CAVALLIER, Prop.

SHATTUCK AVE. AND CEDAR STREET

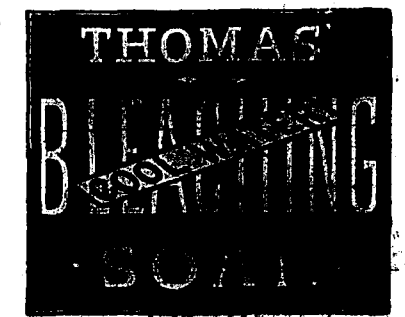
—DEALER IN CHOICE—

Wheat, Oats, Hay and Feed.

COAL of all kinds.

Solicits a Share of the Public Patronage.

Orders Promptly Attended To.



G. H. STRICKER,

DEALER IN

Foreign and Domestic Cigars

Smoking and Chewing Tobaccos, Pipes, Cigar Holders, Etc. Call for the Edward Everett Cigar.

2132 SHATTUCK AVENUE,

Junction of Oakland Electric Cars, West Berkeley Lines and San Francisco Local Lines

FOR THAT LAME BACK OR COLD

GET DR. JOHN ANGELER'S

COMPOUND BELLADONNA PLASTERS

15 CENTS EACH.

2 FOR 25 CENTS.

AT KELSEY'S PHARMACY

Shattuck Ave., Opp. Post Office.

WE NEVER FOLLOW.

WE ALWAYS LEAD

D. H. BRUNS & CO.

The Leading

GROCERS

Of West Berkeley

Are still in the ring with a full line of fancy and staple groceries, hardware, etc. and all articles usually kept in a first-class store. Remember our store

SAN PABLO AND UNIVERSITY AVENUES.

REGULAR COAL DEPOT.

For the benefit of farmers we have a ten-ton scale.

E. COR. 8TH AND BROADWAY.

915 WASHINGTON STREET.

WINE - VAULTS

THEO GIER

FINEST BRANDS OF WINES AND BRANDIES.

Family Trade a Specialty. Goods Delivered to all parts of Oakland, Berkeley and Alameda.

GEO. KIRCHNER,

HERMANN BOEK

National Bottling Company

OF OAKLAND.

BOEK & KIRCHNER, Agents.

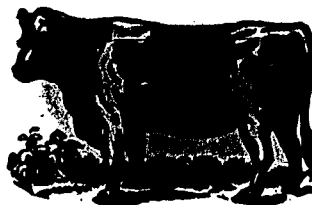
—Sole Bottlers of the Celebrated—

National Brewing Co's. Lager Beer.

Sole Agents for Jackson's Napa Soda. The Finest Brands of Lager Beer in kegs and bottles in the market. Orders Delivered Promptly. Family trade a Specialty. Office and Depo Northwest Corner of

NINTH AND FRANKLIN STS. OAKLAND!

Telephone 596.



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DEALERS IN ALL KINDS OF

Fresh and Salted Meats,

SAUSAGES OF ALL KINDS.

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